

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 07-10-11**

Date Published: October 4, 2007  
For Work Week Commencing: October 8, 2007  
Commission Meeting: October 11, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2007.9.113 (Gary)

On September 26, 2007, Qwest Corporation (Qwest) filed for Commission approval a Qwest Line Volume Advantage (QLVA) MSA Agreement between Qwest and BFS Retail and Commercial Operations, LLC (Bridgestone).

Qwest also filed required proprietary cost information. Qwest is filing the QLVA with the Commission for approval pursuant to the Qwest Montana Exchange and Network Service Tariff, Section 5.2.13 and the April 16, 2004, Notice of Commission Action in PSC Docket N2003.10.149. The agreement is the result of an RFP out by Bridgestone. Qwest agreed to competitive pricing comparable to that of other providers bidding for the Bridgestone contract. Probable Motion: Move to approve the MSA between Qwest Corporation and BFS Retail and Commercial Operations, LLC in Docket No. N2007.9.113.

2. Winter Termination Policy (no docket)

(Phil)

The PSC's winter termination rules require utilities to obtain approval before shutting off electric or natural gas service to a nonpaying residential customer from November 1 to April 1. Commission policy has been to delegate authority on an annual basis to the PSC compliance staff to approve or disapprove utility requests for winter shutoffs. Staff seeks PSC action on delegation of authority for this winter's shutoff requests. Probable Motion: Move to delegate authority to compliance staff to approve or disapprove winter shutoff requests.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. D2007.6.70 – Qwest Corporation – Stipulation re: request to modify Performance Indicator Definitions and Qwest Performance Assurance Plan provisions found in Exhibits B and J of Qwest's Statement of Generally Available Terms and Conditions – Consider supporting the Regional Oversight Committee resolution concerning establishing a multi-state collaborative effort to review the pending PID/QPAP filing and authorizing staff participation in the multi-state review. (10/11/07)
2. D2007.2.18 – MTPCS, LLC dba Chinook Wireless – Application for designation as an ETC – Discussion, direction, action on motion of a Chinook Wireless attorney for admission pro hac vice, other matters as necessary, if necessary. (10/11/07)
3. D2005.6.105 – PSC Initiated - Investigation and direction of Qwest's use of federal USFs – Discussion, direction, action on pending motions, objections, discovery issues, further suspension, other matters as necessary. (10/11/07)

4. PSC Initiated – PSC’s 2007/2008 heating season natural gas Btu monitoring program and contracts – Discussion, direction, action on program and contracts. (10/11/07)
5. L-07.10.3-RUL – PSC Initiated – Annual update to PSC pipeline safety rules – Discussion, direction, action on draft notice of public hearing. (10/11/07)
6. D2006.10.141 – NorthWestern Energy – In the Matter of the Filing of NorthWestern Energy’s Cost of Providing Electric and Natural Gas Service in Montana – Discuss and act on NorthWestern Energy’s Motion to close Docket D2006.10.141. (10/11/07)
7. D2007.7.79 – Montana-Dakota Utilities Co. – Application for Authority to Establish Increased Rates for Electric Service – Consider and act on MDU’s motion for protective order. Data at issue is materials given to rating agencies. (10/11/07)
8. Organization of MISO States (OMS) comments to FERC – Discuss draft OMS comments. (10/11/07)
9. D2007.7.74 – Landmark Water Co., L.L.C. and Landmark Homeowners’ Association, Inc. – Application for Approval of Sale and Transfer of Assets – Motion to dismiss the application. (10/11/07)
10. Certain MAPA statutes – Discuss procedures either required by or to implement 2-4-611(4) and 2-4-623(1), MCA. (10/11/07)
11. Out of state staff travel – Consider request for Bryan Baldwin to attend CREPC meeting in Tucson, AZ November 5-6. (10/11/07)

### **Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect

Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. AT&T N2007.10.115 (Scott)

On September 28, 2007, AT&T filed Tariff Transmittal 2007-09. The purpose of this filing is to grandfather certain long distance calling plans, add new long distance calling plans and make clarifying text changes. AT&T requests an effective date of November 1, 2007.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

N2007.10.114 – PSC Initiated – In the Matter of Applying the Federal Interconnection Standard to NorthWestern Energy and Montana-Dakota Utilities Co.

N2007.10.115 – AT&T Communications of the Mountains States, Inc. – Tariff Transmittal 2007-09, Revisions to Montana Consumer Communications Services Descriptions and Rates - Outbound Tariff

N2007.10.116 – PSC Initiated – Request for Comments on Potential Amendments to and Repeal of Administrative Rules of Montana to Implement House Bill 25 Enacted by the 2007 Montana Legislature  
D2007.10.117 – Qwest Corporation and Cable and Communications Corporation– Application for Approval of Type 2 Wireless Interconnection Agreement